

United States Department of Agriculture

BUREAU OF BIOLOGICAL SURVEY

SERVICE AND REGULATORY ANNOUNCEMENTS

REGULATIONS RELATING TO MIGRATORY BIRDS AND CERTAIN GAME MAMMALS: 1937

[Superseding Migratory Bird Treaty Act regulations of July 31, 1918, as amended]

Regulation 1.—Definitions of Migratory Birds and Game Mammals

Migratory birds included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, and between the United States and United Mexican States for the protection of migratory birds and game mammals, concluded, respectively, August 16, 1916, and February 7, 1936, are as follows:

1. Migratory game birds:

- (a) Anatidae, or waterfowl, including brant, wild ducks, geese, and swans.
- (b) Gruidae, or cranes, including little brown, sandhill, and whooping cranes.
- (c) Rallidae, or rails, including coots, gallinules, and sora and other rails.
- (d) Limicolae (Charadrii), or shore birds, including avocets, curlews, dowitchers, godwits, knots, oyster-catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock, and yellowlegs.
- (e) Columbidae, or pigeons, including doves and wild pigeons.

2. Migratory insectivorous and other migratory nongame birds:

Cuckoos, flickers and other woodpeckers; nighthawks, or bullbats, chuck-will's-widows, poorwills, and whippoorwills; swifts; hummingbirds; kingbirds, phoebes, and other flycatchers; horned larks; bobolinks, cowbirds, blackbirds, grackles, meadowlarks, and orioles; grosbeaks, finches, sparrows, and buntings; tanagers; martins and other swallows; waxwings; phainopeplas; shrikes; vireos; warblers; pipits; catbirds, mockingbirds, and thrashers; wrens, brown creepers; nuthatches; chickadees and titmice; kinglets and gnatcatchers, robins and other thrushes; all other perching birds which feed entirely or chiefly on insects; and auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murres, petrels, puffins, shearwaters, and terns.

Game mammals under the terms of the aforesaid convention between the United States and the United Mexican States include:

Antelope, mountain sheep, deer, bears, peccaries, squirrels, rabbits, and hares.

Regulation 2.—Definition of Terms

For the purposes of these regulations the following terms shall be construed, respectively, to mean and to include—

¹ Full text of the Migratory Bird Treaty and the Migratory Bird Treaty Act and other Federal laws concerning wildlife conservation may be obtained by consulting Service and Regulatory Announcements, B. S. 87. Persons desiring information regarding further restrictions on seasons, bag and possession limits, and other hunting provisions should communicate with appropriate State officials, whose addresses are given on p. 10.

Secretary.—The Secretary of Agriculture of the United States.

Chief of the Bureau.—The Chief of the Bureau of Biological Survey, United States Department of Agriculture.

Person.—The plural or the singular, as the case demands, individuals, clubs, associations, partnerships, and corporations, unless the context otherwise requires.

Take.—Hunt, kill, or capture, or attempt to hunt, kill, or capture.

Open season.—The time during which migratory birds may be taken.

Transport.—Ship, transport, carry, export, import, and receive or deliver for shipment, transportation, carriage, exportation, or importation.

Regulation 3.—Means by Which Migratory Game Birds May Be Taken

The migratory game birds for which open seasons are specified in regulation 4 of these regulations may be taken during such respective open seasons with a shotgun only, not larger than no. 10 gage, fired from the shoulder, except as specifically permitted by regulations 7, 8, 9, and 10 of these regulations, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one time in the magazine and chamber combined; they may be taken during the open season from land or water, with the aid of a dog, and from a blind, boat, or floating craft except sinkbox (battery), powerboat, sailboat, any boat under sail, and any craft or device of any kind towed by powerboat or sailboat; but nothing herein shall permit the taking of migratory game birds from or by means, aid, or use of an automobile or aircraft of any kind.

Waterfowl (except for propagation, scientific, or banding purposes under permit pursuant to regulations 8 and 9 of these regulations) and mourning doves and white-winged doves are not permitted to be taken by means, aid, or use, directly or indirectly, of corn, wheat, oats, or other grain or product thereof, salt, or any kind of feed whatsoever, placed, deposited, distributed, scattered, or otherwise put out whereby such waterfowl or doves are lured, attracted, or enticed, regardless of the distance intervening between any such grain, salt, or feed and the position of the taker; and in the taking of waterfowl, the use, directly or indirectly, of live duck or goose decoys is not permitted, regardless of the distance intervening between any such live decoys and the position of the taker; nor shall anything in these regulations be deemed to permit the use of aircraft of any kind, or of a powerboat, sailboat, or other floating craft or device of any kind, for the purpose of concentrating, driving, rallying, or stirring up waterfowl.

A person over 16 years of age is not permitted to take migratory waterfowl unless at the time of such taking he has on his person an unexpired Federal migratory bird hunting stamp, validated by his signature written across the face thereof in ink. Persons not over 16 years of age are permitted to take migratory waterfowl without such stamp.

Regulation 4.—Open Seasons on and Possession of Certain Migratory Game Birds

Waterfowl (except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, canvasback duck, redhead duck, ruddy duck, bufflehead duck, and swans), and coot, may be taken each day from 7 a. m. to 4 p. m., and rails and gallinules (other than coot), Wilson's snipe or Jacksnipe, woodcock, mourning doves, white-winged doves, and band-tailed pigeons from 7 a. m. to sunset each day during the open seasons prescribed therefor in this regulation, and they may be taken by the means and in the numbers permitted by regulations 3 and 5 of these regulations, respectively, and when so taken may be possessed in the numbers permitted by regulation 5 any day in any State or Territory, or in the District of Columbia during the period constituting the open season where taken and for an additional period of 10 days next succeeding said open season, but no such bird shall be possessed in a State or Territory, or in the District of Columbia at a time when such State, Territory, or District prohibits the possession thereof. Nothing herein shall be deemed to permit the taking of mi-

gratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding grounds, or refuge except insofar as may be permitted by the Secretary of Agriculture under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

Waterfowl, Wilson's snipe or jacksnipe, and coot.—The open seasons for waterfowl (*except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, Ross's goose, wood duck, ruddy duck, canvas-back duck, redhead duck, buffhead duck, and swans*), Wilson's snipe or jacksnipe, and coot, in the several States and Alaska, shall be as follows, both dates inclusive:

In Colorado, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New York (*except Long Island*), North Dakota, Ohio, Oklahoma, South Dakota, Vermont, Wisconsin, and Wyoming, October 9 to November 7.

In Connecticut, Delaware, Idaho, Illinois, Indiana, Kentucky, Missouri, Nevada, New Jersey, New Mexico, that portion of New York known as Long Island, Oregon, Pennsylvania, Rhode Island, Utah, Washington, and West Virginia, November 1 to November 30.

In Alabama, Arizona, Arkansas, California, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia, November 27 to December 26.

In Alaska north of the Alaska Range and the Ahklun Mountains, September 1 to September 30; south of the Alaska Range and the Ahklun Mountains west of the one hundred and forty-first meridian and east of False Pass at the tip of the Alaska Peninsula, September 16 to October 15; southeastern Alaska from the one hundred and forty-first meridian to Dixon's Entrance, October 1 to October 30; and Islands of Unimak, Unalaska, Akutan, and Akun west of Unimak Pass in the Aleutian Island group, November 1 to November 30.

Rails and gallinules (*except coot*).—The open season for rails and gallinules (*except coot*), shall be from September 1 to November 30, both dates inclusive, except as follows:

Washington and Massachusetts, October 1 to November 30.

New York (*except Long Island*), October 9 to November 7.

That portion of New York known as Long Island, November 1 to November 30.

Wisconsin, October 9 to November 7.

Alabama, November 20 to January 31.

Louisiana, November 1 to January 31.

District of Columbia, no open season.

Woodcock.—The open seasons for woodcock shall be as follows, both dates inclusive:

Wisconsin, October 17 to October 31.

That portion of New York lying north of the tracks of the main line of the New York Central Railroad extending from Buffalo to Albany and north of the tracks of the main line of the Boston and Albany Railroad extending from Albany to the Massachusetts State line, and in Maine, New Hampshire, Vermont, Pennsylvania, Michigan, and North Dakota, October 1 to October 31.

That portion of New York lying south of the line above described and in Delaware, New Jersey, Ohio, Indiana, and Iowa, October 15 to November 14.

That portion of New York known as Long Island, November 1 to November 30.

Massachusetts, Rhode Island, and Connecticut, October 21 to November 20.

Missouri, November 10 to December 10.

Maryland, Virginia, West Virginia, Kentucky, Arkansas, and Oklahoma, November 15 to December 15.

North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana, December 1 to December 31.

Mourning doves.—The open seasons for mourning doves shall be as follows, both dates inclusive:

Arizona, Arkansas, California, Idaho, Illinois, Kansas, Kentucky, Minnesota, Missouri, New Mexico, Nevada, Nebraska, Oklahoma, Oregon, Tennessee, Utah, and Virginia, September 1 to November 15.

Delaware, September 15 to November 1 and November 15 to December 15.

Maryland, September 1 to September 30 and November 15 to December 31.

Florida (except in Dade, Broward, and Monroe Counties), November 20 to January 31.

That portion of Florida comprising Dade, Broward, and Monroe Counties, October 1 to November 15.

Louisiana and Mississippi, September 15 to October 1 and November 20 to January 15.

North Carolina, September 15 to October 15 and December 20 to January 31. Alabama, in the counties of Pickens, Tuscaloosa, Jefferson, Shelby, Talladega, Clay, Randolph, and all counties north thereof; Georgia, in the counties of Troup, Meriwether, Pike, Lamar, Monroe, Jones, Baldwin, Washington, Jefferson, Burke, and all counties north thereof; and South Carolina, in the counties of Aiken, Saluda, Newberry, Fairfield, Lancaster, Chesterfield, and all counties north thereof, September 15 to October 15 and December 20 to January 31.

Alabama, Georgia, and South Carolina, in the counties other than those aforesaid, November 20 to January 31.

Texas, in the counties of Yoakum, Terry, Lynn, Garza, Kent, Stonewall, King, Cottle, Childress, and all counties north and west thereof, September 1 to October 31.

Texas, south and east of the above described boundaries, September 15 to November 15.

White-winged doves.—The open season for white-winged doves shall be as follows, both dates inclusive:

Arizona, August 5 to September 3.

Texas, in the counties of Yoakum, Terry, Lynn, Garza, Kent, Stonewall, King, Cottle, Childress, and all counties north and west thereof, September 1 to October 31.

Texas, south and east of the above described boundaries, September 15 to November 15.

Band-tailed pigeons.—The open seasons for band-tailed pigeons shall be as follows, both dates inclusive:

California, December 1 to December 15.

Arizona and Oregon, October 16 to October 30.

New Mexico, October 1 to October 15.

Washington, September 16 to September 30.

Regulation 5.—Daily Bag and Possession Limits on Certain Migratory Game Birds

A person may take in any one day during the open seasons prescribed therefor in regulation 4 of these regulations not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds; and when so taken these may be possessed in the numbers specified as follows:

Ducks (*except wood duck, canvasback duck, redhead duck, ruddy duck, and buffhead duck*).—Ten in the aggregate of all kinds, and any person at any one time may possess not more than 10 ducks in the aggregate of all kinds.

Geese and brant (*except snow geese and brant in Florida and all States north thereof bordering on the Atlantic Ocean, and Ross's goose*).—Five in the aggregate of all kinds, and any person at any one time may possess not more than 5 geese and brant in the aggregate of all kinds.

Rails and gallinules (*except sora and coot*).—Fifteen in the aggregate of all kinds, and any person at any one time may possess not more than 15 in the aggregate of all kinds.

Sora.—Fifteen, and any person at any one time may possess not more than 15.

Coot.—Twenty-five, and any person at any one time may possess not more than 25.

Wilson's snipe or jacksnipe.—Fifteen, and any person at any one time may possess not more than 15.

Woodcock.—Four, and any person at any one time may possess not more than 4.

Mourning doves and white-winged doves.—Fifteen in the aggregate of both kinds, and any person at any one time may possess not more than 15 in the aggregate of both kinds.

Band-tailed pigeons.—Ten, and any person at any one time may possess not more than 10.

The possession limits hereinbefore prescribed shall apply as well to ducks, geese, brant, rails, including coot and gallinules, Wilson's snipe or jacksnipe, woodcock, mourning doves, white-winged doves, and band-tailed pigeons taken in Canada, Mexico, or other foreign country and brought into the United States, as to those taken in the United States.

Regulation 6.—Shipment, Transportation, and Possession of Certain Migratory Game Birds

Migratory game birds of a species for which open seasons are prescribed by regulation 4 of these regulations, legally taken, and parts thereof, may be transported in any manner in or out of the State where taken during the respective open seasons in that State, and when legally taken in and exported from Canada or Mexico, and if from Mexico are accompanied by a Mexican export permit, may be transported into the United States during the open season in the Province, State, or District where killed, but not more than the number thereof that may be taken in 1 day by one person under these regulations shall be transported by one person in 1 calendar week out of the State where taken or from Canada or Mexico into the United States; any such birds or parts thereof in transit during the open season may continue in transit such additional time immediately succeeding such open season, not to exceed 5 days, necessary to deliver the same to their destination, and may be possessed in any State, Territory, or District during the period constituting the open season where taken, and for an additional period of 10 days next succeeding said open season; and any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof; but no such birds or parts thereof shall be transported from any State or Territory, or the District of Columbia, to or through another State or Territory, or the District of Columbia, or to or through Canada or Mexico contrary to the laws of the State or Territory, or the District of Columbia in which they were taken or from which they are transported; nor shall any such birds or parts thereof be transported into any State or Territory, or the District of Columbia, from another State or Territory, or the District of Columbia, or from Canada or Mexico, or from any State or Territory, or the District of Columbia into any Province of the Dominion of Canada or into Mexico at a time when any such State, Territory, District, or Province, or Mexico, into which they are transported, prohibits the possession or transportation thereof.

Migratory game birds imported from countries other than Canada and Mexico.—Migratory game birds of a species for which open seasons are prescribed by regulation 4 of these regulations, legally taken in and exported from a foreign country (other than Canada and Mexico, for which provision is hereinbefore made), may be transported to and possessed in any State or Territory, during the open season prescribed by said regulation 4 in such State or Territory for that species and for a period of 10 days immediately succeeding such open season, and in the District of Columbia during the open season so prescribed for Maryland and 10 days thereafter, in numbers in any 1 calendar week not exceeding those permitted to be taken in 1 day by regulation 5 of these regulations, if transportation and possession of such birds is not prohibited by the laws of such State, Territory, or District and if transported in packages marked as hereinbefore provided.

Regulation 7.—Taking of Certain Migratory Nongame Birds by Eskimos and Indians in Alaska

In Alaska Eskimos and Indians may take, in any manner and at any time, and may possess and transport, auks, auklets, guillemots, murrees, and puffins and their eggs and skins for the use of themselves and their immediate families for food and clothing.

Regulation 8.—Permits to Propagate Migratory Waterfowl

1. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory waterfowl or

their eggs for propagating purposes, may take such birds or their eggs in such State for such purposes when authorized by a permit issued to him by the Secretary, which permit may limit the species and numbers of birds or eggs that may be taken and the period during which and the locality where they may be taken. Both permits shall be carried on the person of the permittee when he is taking migratory waterfowl or their eggs and shall be exhibited to any person requesting to see them. Waterfowl and their eggs so taken may be possessed by the permittee and may be sold and transported by him for propagating purposes to any person holding a permit issued by the Secretary in accordance with the provisions of this regulation.

2. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to possess, purchase, sell, and transport migratory waterfowl and their increase and eggs for propagating purposes, may possess, purchase, sell, and transport such waterfowl and their increase and eggs for such purposes when authorized by a permit issued to him by the Secretary; but may not purchase or sell to any person not authorized by these regulations or by a permit issued thereunder to sell or purchase such waterfowl and their eggs; and migratory waterfowl, except the birds taken under paragraph 1 of this regulation, so possessed may be killed by him at any time and in any manner (except that they may be killed by shooting only during the open season for waterfowl in the State where killed), and the carcasses, with heads and feet attached thereto, may be sold and transported by him to any person for actual consumption, or to the keeper of a hotel, restaurant, or boarding house, a retail dealer in meat or game, or a club, for sale or service to their patrons, who may possess such carcasses for actual consumption without a permit, but no such birds that have been killed shall be bartered, sold, or purchased unless each bird before attaining the age of 4 weeks shall have had removed from the web of one foot a portion thereof in the form of a V large enough to make a permanent, well-defined mark, which shall be sufficient to identify it as a bird raised in domestication under a permit.

3. Applications for permits shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant; the place where the propagating project is to be carried on; the area to be used in the project; the facilities the applicant has for properly caring for the waterfowl; the number of each species of waterfowl in his possession, and how, when, and where they were acquired; and, if the application is for a permit to take migratory waterfowl or their eggs, the species and number of each species or eggs of each species proposed to be taken, and the specific locality where it is proposed to take them.

4. Every permittee shall keep books and records that shall correctly set forth the number of each species of waterfowl and their eggs taken by him, if he holds a permit to take waterfowl, the number of each species of waterfowl and their eggs possessed on the date of the application for a permit, the number of each species reared and killed, the number of each species and their eggs sold and transported, the manner in which they were transported, the name and address of each person from or to whom waterfowl and eggs were purchased or sold, the number and species so purchased or otherwise acquired or sold and whether sold alive or dead, and the date of each transaction. Whenever requested by the Chief of the Bureau, the permittee shall submit to him such report of his operations under the permit as may be called for, and in any event shall file with the Secretary, on a form provided therefor, on or before January 10, a full report of his operations during the preceding calendar year. Failure to make the reports herein provided for will be cause for revocation of the permit.

5. A permittee shall at all reasonable hours allow any authorized employee of the United States Department of Agriculture to enter and inspect the premises where operations are being carried on under this regulation and to inspect the books and records relating thereto.

6. No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of migratory waterfowl or their eggs unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. No permit issued by the Secretary authorizes the transportation of migratory waterfowl or their eggs from Mexico into the United States unless such waterfowl or eggs are accompanied by a Mexican export permit. Permits are not transferable and are revocable at any time

in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom it was issued on demand of any employee of the United States Department of Agriculture authorized to enforce the Migratory Bird Treaty Act.

7. A person may possess and transport, subject to the provisions of paragraph 8 of this regulation, for his own use, without a permit, live migratory waterfowl now legally possessed or hereafter legally acquired by him, but he may not purchase or sell such waterfowl without a permit. A State or municipal game farm or city park may possess, purchase, sell, and transport live migratory waterfowl without a permit, but no such waterfowl shall be purchased from or sold to a person (other than such State or municipal game farm or city park) unless he has a permit. Feathers of wild ducks and wild geese legally killed, and feathers of such birds seized and condemned by Federal or State game authorities, may be possessed, purchased, sold, and transported for use in making fishing flies, bed pillows, and mattresses, and for such similar commercial purposes, but not for millinery or ornamental purposes.

8. Every package in which migratory waterfowl or parts or eggs thereof are shipped wholly within a State or Territory or the District of Columbia, or in which such waterfowl, parts or eggs are transported by any means whatever from one State, Territory, or the District of Columbia, to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, shall be plainly and clearly marked, labeled, or tagged on the outside thereof to show the name and address of the consignor and consignee, the contents of the package, the number of the permit under authority of which it is shipped or transported and the purpose for which the waterfowl or eggs are being shipped or transported.

Regulation 9.—Permits to Collect Migratory Birds for Scientific Purposes

1. A person in possession of a valid, subsisting permit issued to him by a State, on its part, authorizing him to take therein migratory birds or their nests or eggs for scientific purposes may take such birds or their nests or eggs in such State for such purposes when authorized by a permit issued to him by the Secretary. Both permits shall be carried on his person when he is collecting migratory birds thereunder, and shall be exhibited to any person requesting to see them; but nothing herein shall be deemed to permit the taking of any migratory game bird during the open season therefor in any manner or by any means or at any time of the day not permitted by regulations 3 and 4 of these regulations.

2. Applications for permits shall be addressed to the Secretary of Agriculture, Washington, D. C., and must state the name and address of the applicant, his age, the State or Territory in which migratory birds or their nests or eggs are proposed to be taken, the purpose for which they are intended, information sufficient to show that such birds, nests or eggs permitted to be taken will be devoted to scientific purposes, and the names and addresses of at least two well-known ornithologists, principals or superintendents of educational or zoological institutions, officials or members of zoological or natural history organizations, or instructors in zoology in high schools, colleges, or universities, from whom may be obtained information respecting the applicant's status as a scientific investigator. The applicant must furnish such other information touching his fitness to be entrusted with a permit as may be called for by the Secretary.

3. A permit may limit the number and species of migratory birds or their nests or eggs that may be taken thereunder, and the places where, time when, and means by which they may be taken, and may authorize the holder thereof, when possessed of an equivalent State permit, to possess, purchase, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes but not to purchase or sell to any person not authorized by these regulations or by a permit issued thereunder to sell or purchase such birds, nests or eggs, or it may limit the holder to one or more of these privileges. Public museums, zoological parks and societies, and public scientific and educational institutions may possess, purchase, sell, exchange, and transport migratory birds and their nests and eggs for scientific purposes, without a permit, but no such birds, nests, or eggs shall be taken without a permit or purchased from, sold to, or exchanged with a person not authorized by these regulations or by a permit issued thereunder to sell, purchase or exchange them. The

plumage and skins of migratory game birds legally taken may be possessed and transported by a person without a permit.

4. A taxidermist, when authorized by a permit issued by the Secretary, may possess any migratory bird, or nest or egg thereof delivered to him for mounting or other preparation by any person who has legally taken or legally possesses it and may transport such bird, nest or egg in consummation of such purpose when likewise authorized by the State in which such permittee is operating. Every such permittee shall keep books and records correctly setting forth the name and address of each person delivering each migratory bird or nest or egg thereof to him, together with the name of each species, the date of delivery, the disposition of each such bird, nest or egg and the date thereof, and such books and records shall be available for inspection at all reasonable hours on request of any authorized representative of the Department of Agriculture.

5. No permit issued by the Secretary authorizes the taking, possession, sale, purchase, exchange, or transportation of any migratory bird, or nest or egg thereof, unless the permittee has in his possession while exercising any such privilege a valid, subsisting permit of equivalent tenor issued to him by the State in which he proposes to operate. No permit issued by the Secretary authorizes the transportation of any migratory bird, or part, nest, or egg thereof from Mexico into the United States unless such bird, or part, nest, or egg is accompanied by a Mexican export permit. Permits are not transferable and are revocable at any time in the discretion of the Secretary. A permit revoked by the Secretary shall be surrendered to him by the person to whom it was issued on demand of any employee of the United States Department of Agriculture authorized to enforce the Migratory Bird Treaty Act. Whenever requested by the Chief of the Bureau, the permittee shall submit to him such report of his operations under the permit as may be called for, and in any event shall file with the Secretary, on a form provided therefor, on or before January 10, a full report of his operations during the preceding calendar year. Failure to make the reports herein provided for will be cause for revocation of the permit.

6. Every package in which migratory birds or parts, nests, or eggs thereof, are shipped wholly within a State or Territory or the District of Columbia, or in which such birds, parts, nests, or eggs are transported by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, for scientific purposes shall be plainly and clearly marked, labeled, or tagged, on the outside thereof to show the name and address of the consignor and consignee, the contents of the package, the number of the permit under authority of which it is transported, and that the specimens contained therein are for scientific purposes.

Regulation 10.—Permits to Kill Migratory Birds Injurious to Property

Community injury.—When information is furnished the Secretary that any species of migratory bird has become, under extraordinary conditions, seriously injurious to agriculture or other interests in any particular community, an investigation will be made to determine the nature and extent of the injury, whether the birds alleged to be doing the damage should be killed, and, if so, during what times and by what means. Upon his determination an appropriate order will be made.

Specific injury.—Upon receipt by the Chief of the Bureau, or the regional director of the Bureau of Biological Survey in the region where the injury occurs, of information from the owner, tenant, or share cropper that migratory birds are injuring his crops or other property on the land on which he resides, together with a statement of the location of the land, the nature of the crops or property being injured, the extent of such injury, and the particular species of birds committing the injury, an investigation will be made and if it is determined from such investigation that the injury complained of is substantial and can be abated only by killing the birds, or so many thereof as may be necessary, a permit to kill the birds will be issued by said Chief of the Bureau or Director, in which permit will be specified the time during which, the means and methods by which, and the person or persons by whom the birds may be killed, and the disposition to be made of the birds so killed, and such other restrictions as may be deemed necessary and appropriate in the circumstances of the

particular case: *Provided, however,* That in every permit issued as aforesaid, it shall be specified that no such birds shall be shot at or killed at any time or in any manner not authorized by the laws of the State in which such permit is effective; and as to migratory waterfowl, that they shall not be shot at or killed (1) from any blind, sink, pit, or any other device or means of concealment, whether natural or artificial, movable or stationary, or on land or water; (2) by means of any gun larger than no. 10 gage, or of any gun to which a silencer has been attached or otherwise affixed; and (3) by the use of decoys of any description, or of traps or nets of any kind.

Every person exercising any privilege hereinbefore in this regulation provided for shall keep an accurate record of all migratory birds killed by him and whenever requested by the Chief of the Bureau or by the regional director shall submit promptly, on a form provided by the Bureau for the purpose, a report correctly stating the species and number of each species of migratory birds killed by him and in any event shall submit such report to the regional director on or before January 10 of each year. Failure to submit a report as required by this regulation will be sufficient cause for revocation of any permit or withdrawal of any privilege accorded any person failing to make the report.

Regulation 11.—State Laws for the Protection of Migratory Birds

Nothing in these regulations or in any permit issued thereunder shall be construed to permit the taking, possession, sale, purchase, or transportation of migratory birds, or parts, nests, or eggs thereof, contrary to the laws and regulations of any State or Territory, or the District of Columbia, made for the purpose of giving further protection to migratory birds, their nests, and eggs when such laws and regulations are not inconsistent with the conventions between the United States and any other country for the protection of migratory birds or with the Migratory Bird Treaty Act and do not extend the open seasons for such birds beyond the dates prescribed by these regulations.

Regulation 12.—Transportation of Game Mammals to and from Mexico

Game mammals, parts or products thereof, taken in and transported from a State, Territory, or the District of Columbia may be transported to Mexico, if the importation thereof is not prohibited by law or regulation of that country, upon presentation to the collector of customs at the port of exit of the certificate of an official, warden, or other officer of the game department of such State, Territory, or District, that such game mammals, or parts or products thereof, which must be listed in the certificate, were taken or acquired, and are being transported in compliance with the laws and regulations of such State, Territory, or District.

Live game mammals authorized by a special permit issued by the Secretary of Agriculture, pursuant to section 241 of the Penal Code, to be imported, and the dead bodies, parts or products of game mammals, proceeding from Mexico, if accompanied by a Mexican export permit, may be transported into the United States, but their possession in any State, Territory, or the District of Columbia will be subject to the laws of such State, Territory, or District.

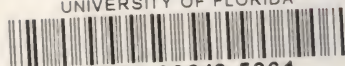
The Migratory Bird Treaty Act regulations approved July 31, 1918 (40 Stat. 1912), and all amendments thereof are hereby revoked, but all regulations heretofore adopted and approved pursuant to said act closing areas of land and water or of land or water adjacent to migratory bird sanctuaries, refuges, reservations, and breeding and feeding grounds to the taking of migratory birds, and all orders and permits of the Secretary of Agriculture heretofore made or issued pursuant to said act and now in force authorizing the killing or other disposition of certain species of migratory birds when injurious to crops and other property and interests and the taking, possession, sale, purchase, exchange, or transportation of migratory birds and their nests and eggs for scientific purposes, and migratory waterfowl for propagating purposes, are hereby continued and extended in full force and effect as regulations, orders, and permits adopted and approved or made or issued hereunder.

OFFICIALS FROM WHOM COPIES OF GAME LAWS MAY BE OBTAINED

- Federal laws:** Secretary of Agriculture, Washington, D. C.; Chief, Bureau of Biological Survey, Department of Agriculture, Washington, D. C.; and regional directors of the Biological Survey with headquarters as follows: Pacific Region, 404 U. S. Court House, Portland, Oreg.; Mountain Region, 576 Custom House, Denver, Colo.; Southwestern Region, 404 Federal Building, Albuquerque, N. Mex.; West Central Region, 207-A Federal Office Building, Des Moines, Iowa; Southern Region, State College, Miss.; East Central Region, Michigan State College, East Lansing, Mich.; Southeastern Region, 1015 Glenn Building, Atlanta, Ga.; Northeastern Region, 310 Federal Building, Portland, Maine; North Central Region, 301 Federal Building, Minot, N. Dak.; Alaska, Alaska Game Commission, Juneau.
- Alabama:** Department of Game, Fish, and Seafoods, Montgomery.
- Alaska:** Executive Officer, Alaska Game Commission, Juneau; or Secretary of Agriculture, Washington, D. C.
- Arizona:** State Game Warden, Phoenix.
- Arkansas:** Secretary, Game and Fish Commission, Little Rock.
- California:** Executive Officer, Fish and Game Commission, Ferry Building, San Francisco.
- Colorado:** State Game and Fish Commission, Denver.
- Connecticut:** Superintendent of Fisheries and Game, Hartford.
- Delaware:** Chief Game and Fish Warden, Dover.
- District of Columbia:** Superintendent Metropolitan Police, Washington.
- Florida:** Commission of Game and Fresh Water Fish, Tallahassee.
- Georgia:** Director, Division of Wildlife, Department of Natural Resources, State Capitol, Atlanta.
- Hawaii:** Fish and Game Division, Board of Agriculture and Forestry, Honolulu.
- Idaho:** Fish and Game Warden, Boise.
- Illinois:** Director, Department of Conservation, Springfield.
- Indiana:** Director of Fish and Game, Conservation Department, State House, Indianapolis.
- Iowa:** Director, State Conservation Commission, Des Moines.
- Kansas:** State Fish and Game Warden, Pratt.
- Kentucky:** Game and Fish Commission, Frankfort.
- Louisiana:** Commissioner of Conservation, Court Building, New Orleans.
- Maine:** Commissioner of Inland Fisheries and Game, State House, Augusta.
- Maryland:** State Game Warden, 512 Munsey Building, Baltimore.
- Massachusetts:** Director, Division of Fisheries and Game, 20 Somerset Street, Boston.
- Michigan:** Director, Commission of Conservation, Lansing.
- Minnesota:** Commissioner, Department of Conservation, St. Paul.
- Mississippi:** Director of Conservation, State Game and Fish Commission, Jackson.
- Missouri:** State Conservation Commission, Jefferson City.
- Montana:** State Fish and Game Warden, Helena.
- Nebraska:** Director of Conservation, Game, Forestation, and Parks Commission, Lincoln.
- Nevada:** Secretary of State Fish and Game Commission, Reno.
- New Hampshire:** Fish and Game Commission, Concord.
- New Jersey:** Secretary of Board of Fish and Game Commissioners, Trenton.
- New Mexico:** State Game and Fish Warden, Santa Fe.
- New York:** Director of Fisheries and Game Conservation Department, Albany.
- North Carolina:** Commissioner of Game and Inland Fisheries, Department of Conservation and Development, Raleigh.
- North Dakota:** Game and Fish Commissioner, Bismarck.
- Ohio:** Commissioner of Conservation, Columbus.
- Oklahoma:** State Fish and Game Warden, Oklahoma City.
- Oregon:** State Game Commissioner, 616 Oregon Building, Portland.
- Pennsylvania:** Executive Director, Board of Game Commissioners, Harrisburg.
- Rhode Island:** Chief, Division of Fish and Game, Department of Agriculture and Conservation, Providence.
- South Carolina:** Chief Game Warden, Columbia.
- South Dakota:** Director, Division of Game and Fish, Department of Agriculture, Pierre.
- Tennessee:** Director of Game and Fish, Department of Conservation, Nashville.
- Texas:** Executive Secretary, Game, Fish, and Oyster Commission, Austin.
- Utah:** Fish and Game Commission, Salt Lake City.
- Vermont:** Director, Fish and Game Service, Department of Conservation and Development, Montpelier.
- Virginia:** Executive Secretary, Commission of Game and Inland Fisheries, Richmond.
- Washington:** State Game Commission, 1301 Smith Tower, Seattle.
- West Virginia:** Director of Conservation, Charleston.
- Wisconsin:** Conservation Director, Madison.
- Wyoming:** State Game and Fish Commission, Cheyenne.
- Canada:** Commissioner, National Parks Bureau, Department of Mines and Resources, Ottawa.
- Alberta:** Game Commissioner, Edmonton.
- British Columbia:** Game Commission, 411 Dunsmuir Street, Vancouver.
- Manitoba:** Director of Game and Fisheries, Winnipeg.
- New Brunswick:** Chief Game Warden, Fredericton.
- Northwest Territories:** Director of Lands, Parks, and Forests, Department of Mines and Resources, Ottawa, Ontario.
- Nova Scotia:** Department of Lands and Forests, Halifax.
- Ontario:** Department of Game and Fisheries, Toronto.
- Prince Edward Island:** Game Inspector, Provincial Treasury Department, Charlottetown.
- Quebec:** General Superintendent of Fisheries and Game, Quebec.
- Saskatchewan:** Game Commissioner, Department of Natural Resources, Regina.
- Yukon:** Territorial Secretary, Dawson.
- Newfoundland:** Clerk, Game and Inland Fisheries, St. Johns.
- Mexico:** Jefe, Departamento Forestal y de Caza y Pesca, Calle de Edison 145, City of Mexico, D. F.



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